



General Assembly

February Session, 2008

***Raised Bill No. 5637***

LCO No. 2037

\*02037\_\_\_\_\_PD\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD)

***AN ACT CONCERNING LOCAL REVIEW OF COMMUNITY  
RESIDENCES AND HALFWAY HOUSES IN MULTIFAMILY  
BUILDINGS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 8-3e of the 2008 supplement to the general statutes  
2       is repealed and the following is substituted in lieu thereof (*Effective*  
3       *from passage*):

4       (a) (1) No zoning regulation shall treat the following in a manner  
5       different from any single family residence: [(1)] (A) Any community  
6       residence that houses six or fewer mentally retarded persons and  
7       necessary staff persons and that is licensed under the provisions of  
8       section 17a-227 of the 2008 supplement to the general statutes, [(2)] (B)  
9       any child-care residential facility that houses six or fewer children with  
10      mental or physical disabilities and necessary staff persons and that is  
11      licensed under sections 17a-145 to 17a-151, inclusive, [or (3)] of the  
12      2008 supplement to the general statutes, (C) any community residence  
13      that houses six or fewer persons receiving mental health or addiction  
14      services and necessary staff persons paid for or provided by the  
15      Department of Mental Health and Addiction Services and that has

16 been issued a license by the Department of Public Health under the  
17 provisions of section 19a-491, if a license is required or (D) any  
18 residence that is a halfway house in which a provider operates  
19 residential programs, as defined in section 18-101h, under contract  
20 with the Department of Correction.

21 (2) No zoning regulation shall treat a multifamily building in which  
22 is located a community residence, child care residential facility or  
23 halfway house identified in subsection (a) of this section, in a manner  
24 different from any other multifamily building.

25 (b) Any resident of a municipality in which such a community  
26 residence, [or] child-care residential facility or halfway house is located  
27 may, with the approval of the legislative body of such municipality,  
28 petition (1) the Commissioner of Developmental Services to revoke the  
29 license of such community residence on the grounds that such  
30 community residence is not in compliance with the provisions of any  
31 statute or regulation concerning the operation of such residences, (2)  
32 the Commissioner of Children and Families to revoke the license of  
33 such child-care residential facility on the grounds that such child-care  
34 residential facility is not in compliance with the provision of any  
35 general statute or regulation concerning the operation of such child-  
36 care residential facility, or (3) the Commissioner of Mental Health and  
37 Addiction Services or the Commissioner of Correction to withdraw  
38 funding from such community residence or halfway house, as the case  
39 may be, on the grounds that such community residence or halfway  
40 house is not in compliance with the provisions of any general statute  
41 or regulation adopted thereunder concerning the operation of a  
42 community residence or halfway house.

43 Sec. 2. Section 7-602 of the general statutes is repealed and the  
44 following is substituted in lieu thereof (*Effective July 1, 2008*):

45 (a) The strategic plan shall not be implemented unless approved by  
46 ordinance of the legislative body of the municipality. Such ordinance  
47 shall create a neighborhood revitalization zone committee for the

48 neighborhood and establish the membership of the committee,  
 49 provided the categories of membership shall be consistent with the  
 50 categories of membership of the neighborhood revitalization planning  
 51 committee and consistent with any recommendations of the  
 52 neighborhood revitalization planning committee. The ordinance shall  
 53 prohibit the committee from commenting on any proposal for a  
 54 community residence, child care residential facility or halfway house  
 55 in a single family dwelling or multifamily building.

56 (b) The neighborhood revitalization zone committee shall submit a  
 57 report on the implementation of the strategic plan to the chief  
 58 executive official and the legislative body of the municipality and to  
 59 the Secretary of the Office of Policy and Management at intervals of six  
 60 months in the first year after adoption of the ordinance and annually  
 61 thereafter. Any amendment to the strategic plan made subsequent to  
 62 the date of enactment of the ordinance shall be adopted by the  
 63 neighborhood revitalization zone committee and the municipality in  
 64 accordance with the procedures set forth in subsections (c) and (d) of  
 65 section 7-601 and shall be submitted to the Secretary of the Office of  
 66 Policy and Management for review. After the date of approval of the  
 67 amendment by the legislative body of the municipality, any report  
 68 required to be made pursuant to this section shall include information  
 69 concerning the amendment. An amendment to a strategic plan shall be  
 70 deemed to be a concept or proposal not reflected within the scope of  
 71 the plan as originally adopted by ordinance of the municipality.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	8-3e
Sec. 2	<i>July 1, 2008</i>	7-602

**Statement of Purpose:**

To require multifamily buildings with community residences, child care facilities and halfway houses be treated similarly to other multifamily buildings for zoning and neighborhood revitalization purposes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*